

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER GRANTING MOTION FOR RECONSIDERATION OF DETENTION ORDER AND SETTING RELEASE CONDITIONS
)	
vs.)	
)	
Kaylem Charles Morsette, Sr.,)	Case No. 1:23-cr-220
)	
Defendant.)	

On December 4, 2023, the court issued an order detaining Defendant, finding that the United States had met its evidentiary burden in demonstrating that there were presently no alternatives of detention that would ensure the community's safety and assure Defendant's future appearance. (Doc. No. 17). Defendant is being held at the Ward County Jail in Minot, North Dakota.

On April 22, 2024, Defendant filed a Motion for Release. (Doc. No. 27). He advises that he has been accepted into a residential treatment program at Amity's Circle Tree Ranch in Tuscon, Arizona. He further advises that Amity's Circle Tree Ranch has arranged for his chaperoned transport from North Dakota to Arizona, to wit: it has purchased him a ticket on a flight scheduled to depart from Minot on April 24, 2024, at 3:20 PM and arranged for Tyler White Body to accompany him. He requests to be released on conditions so that he can travel to Amity's Circle Tree Ranch and participate in its programming.

There being no objection from the United States, court **GRANTS** Defendant's motion. (Doc. No. 27). Defendant shall be released no earlier than 1:00 PM on April 24, 2024, with the understanding that he will travel with his chaperone, Tyler White Body, to Arizona on the flight booked for him by Amity's Circle Tree Ranch. Defendant's release shall be subject to the following conditions:

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.
- (3) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, any use of medical marijuana, and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test.
- (4) Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall not knowingly or intentionally have any direct or indirect contact with witnesses or co-defendants, except that counsel for Defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of Defendant's legal defense.
- (7) Defendant shall reside at Amity's Circle Tree Ranch, fully participate in its programming, and comply with all of its rules and regulations.
- (8) Defendant must sign all release forms to allow the Pretrial Services Officer to obtain information from Amity's Circle Tree Ranch OR to communicate with staff of Amity's Circle Tree Ranch about his progress in the program.

Any passes allowed by Amity's Circle Tree Ranch must be approved by the Pretrial

Services Officer.

If for any reason Defendant is terminated from Amity's Circle Tree Ranch, he must surrender to the custody of the United States Marshal.

At least 96 hours prior to anticipated completion of the treatment program, Defendant must advise the Pretrial Services Officer of his anticipated completion date so the court may schedule a hearing to review his release status.

- (9) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of his release. Defendant shall notify any other residents that the premises may be subject to search pursuant to this condition.
- (10) Defendant shall not obtain a passport and other foreign travel document(s).
- (11) Defendant must report as soon as possible, to the Pretrial Service Office or his supervising Pretrial Service Officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (12) Within 48 hours of his arrival at Amity's Circle Tree Ranch, Defendant shall contact Pretrial Services Officer Stephanie Cherney at (701) 530-2396.

If Defendant cannot travel to Amity's Circle Tree Ranch as anticipated on April 24, 2024, he shall remain in custody pending further order.

IT IS SO ORDERED.

Dated this 24th day of April, 2024.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court